

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Daniel M. Sollenberger
Betty A. Sollenberger
Debtor(s)

Bankruptcy Case No.: 19-70614-JAD
Issued Per 6/11/2020 Proceeding
Chapter: 13
Docket No.: 36 - 2
Concil. Conf.: March 26, 2020 at 02:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 1, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1955 as of 6-20. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 26, 2020 at 02:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 24-2 of U.S. Bank, National Association .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 3 of PHFA/HEMAP; Claim No. 12 of Ally Financial, assuming 506 action unsuccessful.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: June 16, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Daniel M. Sollenberger
 Betty A. Sollenberger
 Debtors

Case No. 19-70614-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: msch
 Form ID: 149

Page 1 of 3
 Total Noticed: 75

Date Rcvd: Jun 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 18, 2020.

db/jdb +Daniel M. Sollenberger, Betty A. Sollenberger, 202 Wilderness Lane,
 Altoona, PA 16601-8571
 15132577 Ally Financial, P.O. Box 380901, Pittsburgh, PA 15230
 15132578 +Altoona Ophthalmology, 600 E. Pleasant Valley Blvd., Altoona, PA 16602-5530
 15132579 +Barclays Bank Delaware, 100 S. West Street, Wilmington, DE 19801-5015
 15132581 +Blair Gastroenterology Associates, 810 Valley View Blvd., Altoona, PA 16602-6342
 15132624 +CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: THD/CBNA, Citicorp Credit Services, Attn: Centralized Bankruptcy,
 P.O. Box 20363, Kansas City, MO 64195)
 15158005 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 15132585 +Citibank, PO Box 6241, Sioux Falls, SD 57117-6241
 15132588 +Comenity Capital Bank, Attention Bankruptcy, P.O. Box 30285,
 Salt Lake City, UT 84130-0285
 15132590 +Commonwealth of Pennsylvania, Office of Attorney General, Collection's Unit,
 14th Floor, Strawberry Square, Harrisburg, PA 17120-0001
 15132591 +Credit Control Collect, 2410 Broad Avenue, Altoona, PA 16601-1940
 15132594 +Dental Care Associates, 712 Logan Boulevard, Hollidaysburg, PA 16648-3032
 15132597 +ENT Associates of Central PA:, Howells R. Charles MD, FACS, 3341 Beale Avenue,
 Altoona, PA 16601-1549
 15132596 +Ear, Nose and Throat Assoc of Central PA, 3341 Beale Avenue, Altoona, PA 16601-1549
 15132598 +First Savings Bank/Blaze, Attn: Bankruptcy, P.O. Box 5096, Sioux Falls, SD 57117-5096
 15132601 +HSBC Bank, P.O. Box 5253, Carol Stream, IL 60197-5253
 15132602 +HSBC Bank Nevada, NA, PO Box 2013, Buffalo, NY 14240-2013
 15145036 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100,
 Boca Raton, FL 33487-2853
 15132604 +Lexington Anestheisa Associates, 620 Howard Avenue, Altoona, PA 16601-4804
 15132609 Pathology Associates of Blair County, P.O. Box 380854-0072, Clinton Township, MI 48038
 15132614 +Sears/CBNA, P.O. Box 6282, Sioux Falls, SD 57117-6282
 15132615 +Sears/Citibank, P.O. Box 6241, Sioux Falls, SD 57117-6241
 15132623 +Target, c/o Financial & Retail Services, Mailstop BT POB 9475, Minneapolis, MN 55440-9475
 15132625 +The Bureaus, Inc, Attn: Bankruptcy, 650 Dundee Road, Suite 370, Northbrook, IL 60062-2757
 15132627 +UPMC Altoona, 620 Howard Avenue, Altoona, PA 16601-4804
 15132628 +UPMC Health Services, P.O. Box 371472, Pittsburgh, PA 15250-7472
 15163719 +UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123
 15164927 +UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

15161757 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 17 2020 04:17:42
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15163156 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 17 2020 04:18:08
 Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC,
 PO Box 41021, Norfolk VA 23541-1021
 15164103 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 17 2020 04:17:45
 CVI SGP-CO Acquisition Trust, c/o Resurgent Capital Services, PO BOX 10587,
 Greenville, SC 29603-0587
 15132582 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 17 2020 04:17:39 Capital One,
 PO Box 30285, Salt Lake City, UT 84130-0285
 15139747 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 17 2020 04:17:18
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15167829 +E-mail/Text: bankruptcy@cavps.com Jun 17 2020 04:16:42 Cavalry Investments, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 15132583 +E-mail/Text: bankruptcy@cavps.com Jun 17 2020 04:16:42 Cavalry Portfolio Services,
 Attention: Bankruptcy Department, 500 Summit Lake Drive, Suite 400,
 Valhalla, NY 10595-2321
 15133666 +E-mail/Text: bankruptcy@cavps.com Jun 17 2020 04:16:43 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 15132586 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 17 2020 04:16:05 Comenity Bank,
 Attn: Bankruptcy Department, P.O. Box 182125, Columbus, OH 43218-2125
 15132587 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 17 2020 04:16:05
 Comenity Bank/Value City Furniture, P.O. Box 182273, Columbus, OH 43218-2273
 15132589 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 17 2020 04:16:05 Comenity Capital/Bosco,
 Attn: Bankruptcy Dept., P.O. Box 182125, Columbus, OH 43218-2125
 15132592 +E-mail/Text: bdsupport@creditmanagementcompany.com Jun 17 2020 04:16:46
 Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
 15132593 +E-mail/PDF: creditonebknofications@resurgent.com Jun 17 2020 04:17:43 Credit One Bank,
 PO Box 98872, Las Vegas, NV 89193-8872
 15136166 +E-mail/Text: mrdiscen@discover.com Jun 17 2020 04:15:48 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025

District/off: 0315-7

User: msch
Form ID: 149

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Total Noticed: 75

Date Rcvd: Jun 16, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15132595 +E-mail/Text: mrdiscen@discover.com Jun 17 2020 04:15:48 Discover Fin Svcs LLC,
PO Box 15316, Wilmington, DE 19850-5316
15132599 +E-mail/Text: GenesisFS@ebn.phinsolutions.com Jun 17 2020 04:17:05 Genesis Bc/Celtic Bank,
Attn: Bankruptcy, P.O. Box 4477, Beaverton, OR 97076-4401
15132600 +E-mail/Text: bankruptcy@affglo.com Jun 17 2020 04:16:28 Global Credit Collection,
5440 North Cumberland Avenue, Suite 300, Chicago, IL 60656-1486
15169375 E-mail/Text: JCAB_BNC_Notices@jcap.com Jun 17 2020 04:16:40 Jefferson Capital Systems LLC,
Po Box 7999, Saint Cloud Mn 56302-9617
15132584 E-mail/PDF: ais.chase.ebn@americaninfosource.com Jun 17 2020 04:17:16 Chase Card Services,
Attn: Correspondence Department, P.O. Box 15298, Wilmington, DE 19850
15132603 +E-mail/Text: bncnotices@becket-lee.com Jun 17 2020 04:15:54 Kohls/Capital One,
P.O. Box 3043, Milwaukee, WI 53201-3043
15132605 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 17 2020 04:17:23 LVNV Funding, LLC,
P.O. Box 10497, Greenville, SC 29603-0497
15139148 E-mail/PDF: resurgentbknofications@resurgent.com Jun 17 2020 04:17:44 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15132606 +E-mail/Text: bankruptcydpt@mcmcg.com Jun 17 2020 04:16:26 Midland Funding,
2365 Northside Drive, Suite 300, San Diego, CA 92108-2709
15160995 +E-mail/Text: bankruptcydpt@mcmcg.com Jun 17 2020 04:16:26 Midland Funding LLC,
PO Box 2011, Warren, MI 48090-2011
15132607 +E-mail/PDF: cbp@onemainfinancial.com Jun 17 2020 04:17:34 One Main, P.O. Box 3251,
Evansville, IN 47731-3251
15132608 +E-mail/Text: blegal@phfa.org Jun 17 2020 04:16:29 PA Housing Finance Agency,
2101 North Front Street, Harrisburg, PA 17110-1086
15136405 E-mail/Text: blegal@phfa.org Jun 17 2020 04:16:29 PHFA/HEMAP, 211 NORTH FRONT ST,
PO BOX 8029, HARRISBURG, PA 17105
15132610 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 17 2020 04:17:20
Portfolio Recovery, 120 Corporate Blvd, Suite 1, Norfolk, VA 23502
15159594 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 17 2020 04:17:42
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15169372 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 17 2020 04:17:44
Portfolio Recovery Associates, LLC, POB 41067, Norfolk VA 23541
15132611 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 17 2020 04:17:44
Portfolio Recovery (A), 120 Corporate Blvd, Suite 1, Norfolk, VA 23502-4952
15132612 +E-mail/PDF: gecsed@recoverycorp.com Jun 17 2020 04:17:37 QCard/GEMB, P.O. Box 530905,
Atlanta, GA 30353-0905
15163190 E-mail/Text: bnc-quantum@quantum3group.com Jun 17 2020 04:16:10
Quantum3 Group LLC as agent for, GPCC I LLC, PO Box 788, Kirkland, WA 98083-0788
15163086 E-mail/Text: bnc-quantum@quantum3group.com Jun 17 2020 04:16:10
Quantum3 Group LLC as agent for, MOMA Trust LLC, PO Box 788, Kirkland, WA 98083-0788
15132613 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 17 2020 04:18:11
Resurgent Capital Services LP, PO Box 10497, Greenville, SC 29603-0497
15132616 +E-mail/Text: jennifer.chacon@spservicing.com Jun 17 2020 04:17:04
Select Portfolio Servicing, P.O. Box 65250, Salt Lake City, UT 84165-0250
15132617 +E-mail/PDF: cbp@onemainfinancial.com Jun 17 2020 04:17:37 Springleaf Financial,
P.O. Box 64, Evansville, IN 47701-0064
15132618 +E-mail/Text: BKRMailOPS@weltman.com Jun 17 2020 04:15:59 Sterling Jewelers, 375 Ghent Road,
Akron, OH 44333-4600
15133091 +E-mail/PDF: gecsed@recoverycorp.com Jun 17 2020 04:17:15 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15132619 +E-mail/PDF: gecsed@recoverycorp.com Jun 17 2020 04:17:35 Synchrony Bank, P.O. Box 965022,
Orlando, FL 32896-5022
15132620 +E-mail/PDF: gecsed@recoverycorp.com Jun 17 2020 04:18:01 Synchrony Bank/Amazon,
P.O. Box 965060, Orlando, FL 32896-5060
15132621 +E-mail/PDF: gecsed@recoverycorp.com Jun 17 2020 04:17:35 Synchrony Bank/Lowes,
P.O. Box 965064, Orlando, FL 32896-5064
15132622 +E-mail/PDF: gecsed@recoverycorp.com Jun 17 2020 04:18:00 Synchrony Bank/Sams,
P.O. Box 965060, Orlando, FL 32896-5060
15169496 +E-mail/Text: bncmail@w-legal.com Jun 17 2020 04:16:35 TD Bank USA, N.A.,
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15169371 E-mail/Text: jennifer.chacon@spservicing.com Jun 17 2020 04:17:04
U.S. Bank National Association et. al., c/o Select Portfolio Servicing, Inc.,
P.O. Box 65250, Salt Lake City, UT 84165-0250
15132626 +E-mail/Text: skorman@uoc.com Jun 17 2020 04:16:57 University Orthopedics Center,
101 Regent Court, State College, PA 16801-7965

TOTAL: 47

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr U.S. Bank National Association, as indenture trust
15132580 ##+Blair County Anesthesia, 1701 12th Avenue, #G2, Altoona, PA 16601-3100

TOTALS: 1, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-7

User: msch
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Total Noticed: 75

Date Rcvd: Jun 16, 2020

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Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 18, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 16, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor U.S. Bank National Association, as indenture trustee,
for the CIM Trust 2016-2, Mortgage-Backed Notes, Series 2016-2 bkgroup@kmlawgroup.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Suzanne M. Bash on behalf of Joint Debtor Betty A. Sollenberger suzannembash@yahoo.com,
sooz1205@yahoo.com
Suzanne M. Bash on behalf of Debtor Daniel M. Sollenberger suzannembash@yahoo.com,
sooz1205@yahoo.com

TOTAL: 5